

REMARKS

Claims 1, 4-8, 10-14, and 16-23 are pending in the present application. Claims 2, 3, 9, and 15 are canceled; claims 1, 4-8, 10-14, and 16-19 are amended; and claims 20-24 are added. Reconsideration of the claims is respectfully requested.

I. 35 U.S.C. § 112, Second Paragraph

The examiner rejects claim 1 under 35 U.S.C. § 112, second paragraph, as indefinite. Applicant has amended the claim accordingly. Thus, the rejection under 35 U.S.C. § 112, second paragraph has been overcome.

II. 35 U.S.C. § 102, Anticipation

The examiner rejects claims 1-19 under 35 U.S.C. § 102 as anticipated by Gaughan et al., On-Screen Remote Control of a Television Receiver, U.S. Patent 5,589,893 (Dec. 31, 1996). This rejection is respectfully traversed.

Regarding claim 1, the examiner states that:

Gaughan et al discloses that the claimed feature of a computer implemented method for selectively increasing illumination of a region of a screen, the method comprising: responsive to identifying [i.e. "accessed by cursor" 56] a region [i.e. 'one of control function are', 'one of screen areas'; 58,60,62,64] on the screen, altering [i.e. "illuminated", "highlighted"] a display intensity of the screen within the region, wherein the display intensity of the screen within the region is greater than regions portions of the screen; determining whether the region has been redefined ['by cursor movement']; and responsive to the region being redefined to form a redefined region [i.e. 'another screen areas'], altering [i.e. "illuminated", "highlighted"] the display intensity within the redefined region. (See Fig 4, Fig 9, Abstract line 11-17, col 4 line 40-col 6 line 6)

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A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). All limitations of the claimed invention must be considered when determining patentability. *In re Lowry*, 32 F.3d 1579, 1582, 32 U.S.P.Q.2d 1031, 1034

(Fed. Cir. 1994). Anticipation focuses on whether a claim reads on the product or process a prior art reference discloses, not on what the reference broadly teaches. *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 U.S.P.Q. 781 (Fed. Cir. 1983). In this case, each and every feature of the presently claimed invention is not identically shown in the cited reference, arranged as they are in the claims.

Claim 1 as amended is as follows:

1. A computer implemented method for selectively increasing a display intensity of at least one-region of a screen, the method comprising:
 - responsive to identifying a first region on the screen, altering the display intensity of the screen within the first region, wherein, after the display intensity of the first region is altered, the display intensity of the screen within the first region is greater than the display intensity of other regions of the screen;
 - determining whether the first region has been redefined to form a redefined region; and
 - responsive to the first region being redefined, altering the display intensity of the screen within the redefined region, wherein the display intensity of the screen within the redefined region is greater than the display intensity of other regions of the screen.

Gaughan does not anticipate claim 1 as amended because Gaughan does not show or suggest selectively altering a display intensity of a region of a screen and, responsive to a first region being redefined, altering the display intensity of the screen within a redefined region, as claimed. Instead, Gaughan teaches "illuminating" static boxes on the display of a television receiver. Gaughan's disclosed method of "illuminating" static boxes involves highlighting the static boxes with different colors. For example, in portions of text cited by the examiner, Gaughan states that:

In operation, the television receiver provides on-screen displays for various television receiver control functions, such as those illustrated in FIG. 4. The cursor display is developed in the television receiver and its position is monitored as described previously. *In response to the (initial) activation signal from switch 44 of the remote transmitter of FIG. 2, cursor 56, in the preferred embodiment, is illuminated. In response to movements of the trackball 42 by the user, cursor 56 is moved over the viewing screen. As cursor 56 approaches a television control function portion or screen area, such as any of the screen areas 58, 60, 62*

and 64, that area is illuminated and the options available for selection are displayed to the viewer. This procedure is software driven. The areas are highlighted in different colors for visual effect and to enable the viewer to associate different colors with different receiver functions. For example, blue may be used for volume control, yellow for the channel selection area, etc. As the viewer moves the cursor to the particular desired function in the area (a line item in a menu area or a channel number in the channel selection area, for example) depression of the trackball activates the switch 44 again and the activate signal will be received by the IR receiver 34 of the television receiver and result in execution of the selected control function. During trackball movement, the cursor position is correspondingly updated. As those skilled in the art will appreciate, with the arrangement, if it is so desired, a single trackball control on the remote transmitter may suffice for completely controlling all functions of the television receiver. For example, at initial start up, the trackball may be depressed to turn the television receiver on and to illuminate the cursor. Thereafter control of any function may be obtained in the manner just described by movement of the trackball to position the cursor in the selected area and by further activation of the switch 44. When the position of cursor 56 is outside of the selected area, the illuminated area is turned off. This particular illumination arrangement will be recognized to be a matter of design choice and the invention is not to be so limited.

Gaughan, col. 4, l. 40 through col. 5, l. 11 (emphasis supplied).

The remaining text and figures cited by the examiner support the above paragraph and do not add any substantial issues to the patentability of claim 1. As the emphasized portion of the text shows, the cursor is illuminated when a remote signal from a switch is activated, and the static control function screen areas are illuminated when the cursor moves over the static control function areas.

However, claim 1 as amended claims altering the display intensity of a screen. By altering the display intensity of a screen, the actual intensity of light projected from the screen is altered. Illuminating an object does not necessarily require that the actual display intensity of a screen be altered. For example, as Gaughan specifically provides that illuminating may be performed by highlighting an area in a different color. This illuminating is not the same as changing the intensity of the display in a region, as claimed. Thus, Gaughan does not anticipate claim 1.

Furthermore, Gaughan does not necessarily show or suggest increasing the actual display intensity of the screen because doing so is not necessary to accomplish Gaughan's purpose. In general, the display intensity of a screen is uniform, even though portions of the screen may appear brighter than others because a white or lighter color is projected in some areas relative to other areas. However, the actual display intensity of the screen does not change. As explained in the specification, entire screens are dimmed in the current art, rather than just portions of the screen, in order to save power. For example, a white light on one area of a currently known screen will have the same display intensity as a white light on another area of the currently known screen. Gaughan does not show or suggest otherwise. In contrast, the claimed invention specifies that the display intensity of the screen varies in at least one region on the screen, such that a white light in one region will not have the same display intensity as a white light in another region on the screen.

Because Gaughan does not explicitly show or suggest altering the display intensity of a screen, any disclosures relative to "illumination" or "highlighting" only relate to changing the color or contrast of different regions of the screen. Accordingly, Gaughan does not anticipate claim 1.

Amended independent claims 7, 8, and 14 contain limitations similar to those presented in claim 1 as amended. Therefore, for the reasons provided above, Gaughan does not anticipate claims 7, 8, and 14.

Because claims 3-6, 10-13, and 16-23 depend from corresponding independent claims 1, 7, 8, and 14, the same distinctions between Gaughan and the claimed invention in claim 1 can be made for these claims. Additionally, claims 3-6, 10-13, and 16-23 claim other additional combinations of features not shown or suggested by the reference. For example, Gaughan does not show or suggest that movement of a pointer results in movement of the first region, as claimed in amended claims 3, 10, and 16. Otherwise, the static control areas would move with the pointer, which Gaughan clearly does not show or suggest. In addition, Gaughan does not show or suggest that the region is a window as claimed in claims 4, 11, and 17, because Gaughan only teaches the illumination of areas on a screen that are not windows in the sense that one of ordinary skill would understand that term. Gaughan does not show or suggest that the first region is defined by a number

of lines above and below an I-bar in a document displayed on the screen, as claimed in amended claims 6, 13, 19. Gaughan does not show or suggest that the region is a user-defined region as in new claims 20-23. Regarding new claim 24, Gaughan does not show or suggest the limitation wherein a color within the first region remains unchanged when the display intensity of the screen within the first region is altered and wherein the color within the redefined region remains unchanged when the display intensity of the screen within the redefined region is altered. Consequently, it is respectfully urged that the rejection of the dependent claims has also been overcome. Therefore, the rejection of claims 1-19 under 35 U.S.C. § 102 has been overcome.

Furthermore, Gaughan does not teach, suggest, or give any incentive to make the needed changes to reach the presently claimed invention. Gaughan actually teaches away from the presently claimed invention because it teaches highlighting a cursor or screen area as opposed to changing the display intensity of a screen, as in the presently claimed invention. Absent the examiner pointing out some teaching or incentive to implement Gaughan and changing the display intensity of a screen, one of ordinary skill in the art would not be led to modify Gaughan to reach the present invention when the reference is examined as a whole. Absent some teaching, suggestion, or incentive to modify Gaughan in this manner, the presently claimed invention can be reached only through an improper use of hindsight using Applicant's disclosure as a template to make the necessary changes to reach the claimed invention.

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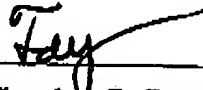
III. Conclusion

It is respectfully urged that the subject application is patentable over Gaughan and is now in condition for allowance.

The examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,



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